

House File 712

H-1269

1 Amend House File 712 as follows:

2 1. Page 1, after line 11 by inserting:

3 <___. "*Parent*" means a parent, custodian, or guardian or
4 person responsible for a minor.>

5 2. By striking page 1, line 35, through page 2, line 13, and
6 inserting:

7 <___. a. "*Social media platform*" means an internet site
8 or application open to the public that facilitates all of the
9 following:

10 (1) The creation of public or semi-public user accounts.

11 (2) User communication with other users for the primary
12 purpose of posting information, comments, messages, or images.

13 (3) Public listing of other users with whom an individual
14 shares a user connection within the system.

15 (4) Creation of or posting of viewable content by other
16 users, including but not limited to message boards, chat rooms,
17 landing pages, or main feeds that present a user with content
18 generated by other users.

19 b. "*Social media platform*" does not include any of the
20 following:

21 (1) An internet service provider.

22 (2) Electronic mail.

23 (3) An online service, application, or internet site that
24 consists primarily of news, sports, entertainment, e-commerce,
25 or other information or content preselected by the provider
26 that is not user-generated and where interactive functionality
27 is incidental to, directly related to, or dependent on the
28 provision of the content.

29 (4) An internet site or application providing career
30 development opportunities, including professional networking,
31 job skills, learning certifications, and job posting
32 application services.

33 (5) An internet site or application that has the primary
34 purpose of providing access to interactive gaming or virtual
35 gaming, or an online service that allows the creation and

1 uploading of content for the purpose of interactive gaming,
2 virtual gaming, or associated entertainment, and communication
3 related to that content.>

4 3. Page 2, before line 14 by inserting:

5 <___. *“Verifiable parental consent”* means any reasonable
6 effort by a social media platform to ensure that a parent of a
7 child receives notice of the platform’s personal information,
8 collection, use, and disclosure practices, and authorizes the
9 collection, use, and disclosure, as applicable, of personal
10 information and the subsequent use of that information before
11 that information is collected from the child.>

12 4. Page 2, after line 24 by inserting:

13 <___. A social media platform may terminate service
14 provided to a child whose parent has refused to give verifiable
15 parental consent.>

16 5. Page 2, before line 25 by inserting:

17 <Sec. ___. NEW SECTION. 554G.3 Consent not required.

18 Verifiable parental consent shall not be required for any of
19 the following:

20 1. Online contact information collected by a social media
21 platform from a child that is used only to respond directly
22 on a one-time basis to a specific request from the child and
23 is not used to recontact the child and is not maintained in
24 retrievable form by the platform.

25 2. A request by a social media platform for the name or
26 online contact information of a parent or child that is used
27 by the platform for the sole purpose of obtaining verifiable
28 parental consent or providing notice under this chapter that is
29 not maintained in a retrievable form.>

30 6. Page 2, line 25, by striking <554G.3> and inserting
31 <554G.4>

32 7. Page 2, line 30, by striking <554G.4> and inserting
33 <554G.5>

34 8. Page 3, line 1, by striking <operating>

35 9. By renumbering, redesignating, and correcting internal

1 references as necessary.

WILLS of Dickinson